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8   UNITED STATES DISTRICT COURT

9   NORTHERN DISTRICT OF CALIFORNIA

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COLE JAMES RHOADES,   Case No. 18-07201 BLF (PR)

11   Plaintiff,
                                           ORDER OF DISMISSAL
12
        v.
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14   R. ROBINSON, et al.,

15   Defendants.

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18   On November 28, 2018, Plaintiff, proceeding *pro se*, filed a civil rights complaint

19   pursuant to 42 U.S.C. § 1983, and a motion to proceed *In Forma Pauperis* ("IFP").

20   (Docket Nos. 1, 3.) On the same day, the Clerk sent Plaintiff a notice that the IFP motion

21   was deficient because it did not include a Certificate of Funds in Prisoner's Account signed

22   by an authorized officer and a prisoner trust account statement showing transactions for the

23   last six months. (Docket No. 4.) Plaintiff was directed to file the missing documents

24   within twenty-eight days from the date of the notice to avoid dismissal, i.e., no later than

25   December 26, 2018. (*Id.*)

26   On January 8, 2019, in the interest of justice, the Court granted Plaintiff an

27   extension of time to file a Certificate of Funds in Prisoner's Account signed by an

28   authorized officer and a prisoner trust account statement showing transactions for the last
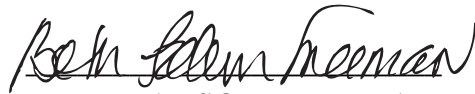
six months after Plaintiff filed a letter indicating that the institution has been on lockdown and he has been unable to contact his correctional counselor. (Docket No. 5.) Plaintiff was advised to file the necessary documents no later than February 5, 2019, and that failure to respond in the time provided will result in the dismissal of this action without further notice to Plaintiff. (Docket No. 6.)

The deadline has passed, and Plaintiff has failed to comply with the court order and has had no further contact with the Court. Accordingly, this action is **DISMISSED** without prejudice for failure to pay the filing fee.

The Clerk shall terminate all pending motions and close the file.

IT IS SO ORDERED.

Dated: ___February 13, 2019___

BETH LABSON FREEMAN
United States District Judge

Order of Dismissal
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United States District Court
Northern District of California